



State of Washington
REPORT OF EXAMINATION
FOR WATER RIGHT CHANGE

draft

PRIORITY DATE
October 3, 1974

WATER RIGHT NUMBER
G3-24001C

MAILING ADDRESS
STEVENS COUNTY PUBLIC UTILITY DISTRICT NO. 1
PO BOX 592
LOON LAKE 99148-0592

SITE ADDRESS (IF DIFFERENT)

Total Quantity Authorized for Withdrawal

WITHDRAWAL RATE	UNITS	ANNUAL QUANTITY (AF/YR)
60	GPM	6

Purpose

PURPOSE	WITHDRAWAL RATE		UNITS	ANNUAL QUANTITY (AF/YR)		PERIOD OF USE (mm/dd)
	ADDITIVE	NON-ADDITIVE		ADDITIVE	NON-ADDITIVE	
Municipal	60		GPM	6		01/01 - 12/31

PUBLIC WATER SYSTEM INFORMATION
RIVERSIDE

WATER SYSTEM ID
182904

CONNECTIONS
65

Source Location

Source Name	Parcel #	Well Tag	Twp	Rng	Sec	QQ	Latitude	Longitude
Well S02	39355.9601	ACA933	29	43 E.	35	SW $\frac{1}{4}$ SW $\frac{1}{4}$	47.96830°N	117.34773°W
Well S04	39355.9601	AHC143	29	43 E.	35	SW $\frac{1}{4}$ NW $\frac{1}{4}$	47.96825°N	117.34756°W
Well S05	39353.9105	ABR225	29	43 E.	35	SW $\frac{1}{4}$ NW $\frac{1}{4}$	47.96076°N	117.34563°W
Well S06 (future)	39353.9105	---	29	43 E.	35	SW $\frac{1}{4}$ SW $\frac{1}{4}$	---	---

Datum: WGS84

Place of Use (See Attached Map)

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

Area served by Stevens County Public Utility District No. 1. The place of use (POU) of this water right is the service area described in the most recent Water System Plan/Small Water System Management Program approved by the Washington State Department of Health, so long as the water system is and remains in compliance with the criteria in RCW 90.03.386(2). RCW 90.03.386 may have the effect of revising the place of use of this water right.

Proposed Works

Four (4) wells, pumps, reservoir and distribution system

REPORT OF EXAMINATION FOR WATER RIGHT CHANGE

Development Schedule

BEGIN PROJECT

Started

COMPLETE PROJECT

September 1, 2016

PUT WATER TO FULL USE

September 1, 2018

Measurement of Water Use

How often must water use be measured?	Weekly
How often must data be reported to Ecology?	Upon Request by Ecology
What volume should be reported?	Total Annual Volume
What rate should be reported?	Annual Peak Rate of Withdrawal (gpm)

Provisions

This authorization to make use of public waters of the State is subject to existing rights, including any existing rights held by the United States for the benefit of Indians under treaty or otherwise

Nothing in this authorization shall be construed as satisfying other applicable federal, state, or local statutes, ordinances, or regulations.

Wells, Well Logs and Well Construction Standards

All wells constructed in the state must meet the construction requirements of WAC 173-160 titled "Minimum Standards for the Construction and Maintenance of Wells" and RCW 18.104 titled "Water Well Construction". Any well which is unusable, abandoned, or whose use has been permanently discontinued, or which is in such disrepair that its continued use is impractical or is an environmental, safety or public health hazard must be decommissioned.

All wells must be tagged with a Department of Ecology unique well identification number. If you have an existing well and it does not have a tag, please contact the well-drilling coordinator at the regional Department of Ecology office issuing this decision. This tag must remain attached to the well. If you are required to submit water measuring reports, reference this tag number.

Installation and maintenance of an access port as described in WAC 173-160-291(3) is required.

Measurements, Monitoring, Metering and Reporting

An approved measuring device shall be installed and maintained for each of the sources identified herein in accordance with the rule "Requirements for Measuring and Reporting Water Use", Chapter 173-173 WAC. Water use data shall be recorded weekly and maintained by the property owner for a minimum of five years, and shall be promptly submitted to Ecology upon request.

Department of Health Requirements

Prior to any new construction or alterations of a public water supply system, the State Board of Health rules require public water supply owners to obtain written approval from the Office of Drinking Water of the Washington State Department of Health. Please contact the Office of Drinking Water prior to beginning (or modifying) your project at DOH/Division of Environmental Health, 16201 E. Indiana Avenue, Suite 1500, Spokane Valley, WA 99216, (509) 329-2100.

Water Use Efficiency

Use of water under this authorization will be contingent upon the water right holder's maintenance of efficient water delivery systems and use of up-to-date water conservation practices consistent with established regulation requirements and facility capabilities.

Proof of Appropriation

The water right holder must file the notice of Proof of Appropriation of water (under which the certificate of water right is issued) when the permanent distribution system has been constructed and the quantity of water required by the project has been put to full beneficial use. The certificate will reflect the extent of the project perfected within the limitations of the water right. Elements of a proof inspection may include, as appropriate, the source(s), system instantaneous capacity, beneficial use(s), annual quantity, place of use, and satisfaction of provisions.

Schedule and Inspections

Department of Ecology personnel, upon presentation of proper credentials, will have access at reasonable times, to the project location, and to inspect at reasonable times, records of water use, wells, diversions, measuring devices and associated distribution systems for compliance with water law.

Real Estate Excise Tax

This decision may indicate a Real Estate Excise Tax liability for the seller of water rights. The Department of Revenue has requested notification of potentially taxable water right related actions, and therefore will be given notice of this decision, including document copies. Please contact the state Department of Revenue to obtain specific requirements for your project. Phone: (360) 570-3265. The mailing address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477. Internet: <http://dor.wa.gov/>. E-mail: REETSP@DOR.WA.GOV.

Findings of Facts

Upon reviewing the investigator's report, I find all facts, relevant and material to the subject application, have been thoroughly investigated. Furthermore, I find the change of water right as recommended will not be detrimental to existing rights or the public welfare.

Therefore, I ORDER approval of Change Application No. CG3-24001C, subject to existing rights and the provisions specified above.

Your Right To Appeal

You have a right to appeal this Order to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this Order. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do the following within 30 days of the date of receipt of the Order.

File your appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.

- Serve a copy of your appeal and this Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

- You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel RD SW Ste 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

Signed at Spokane, Washington, this XX day of XXXXXXXX, 2013.

Keith L. Stoffel
 Section Manager
 Water Resources Program

For additional information visit the Environmental Hearings Office Website: <http://www.eho.wa.gov>. To find laws and agency rules visit the Washington State Legislature Website: <http://www1.leg.wa.gov/CodeReviser>.

INVESTIGATOR'S REPORT

WASHINGTON STATE - DEPARTMENT OF ECOLOGY
Water Resources Program - Eastern Regional Office
Water Right Control Number CG3-24001C
Ground Water Certificate G3-24001C

BACKGROUND

An application for change/transfer was submitted by the Stevens County Public Utility District No. 1 (PUD) of Loon Lake, Washington, to the Department of Ecology on August 4, 2000. The PUD proposes to change one point of withdrawal, add three (3) points of withdrawal, change the purpose of use and place of use as granted under Ground Water Certificate No. G3-24001C.

Attributes of the Existing Water Right and Proposed Change

Change Application Filed: August 4, 2000

Attributes	Existing Water Right	Proposed Changes
Number	G3-24001C	CG3-24001C
Name	Herbert C. and Randean A. Kummer	Stevens County Public Utility District No. 1
Priority Date	October 3, 1974	***
Instantaneous Quantity	60 gpm	***
Annual Quantity	6 af/yr	***
Purpose of Use	Group Domestic Supply of six units	Municipal Supply
Period of Use	Continuous	***
Point(s) of Withdrawal	One well	Four wells
Place of Use	See Certificate	Municipal Water Supplier – RCW 90.03.386(2)

*** No change

Proposed Sources of Withdrawal

Source Name	Parcel #	Well Tag	Twp	Rng	Sec	QQ	Latitude	Longitude
Well S02	39355.9601	ACA933	29	43 E.	35	SW¼SW¼	47.96830°N	117.34773°W
Well S04	39355.9601	AHC143	29	43 E.	35	SW¼NW¼	47.96825°N	117.34756°W
Well S05	39353.9105	ABR225	29	43 E.	35	SW¼NW¼	47.96076°N	117.34563°W
Well S06	39353.9105	---	29	43 E.	35	SW¼SW¼	---	---

Datum: WGS84

Public Notice

RCW 90.03.280 requires that notice of a water right application be published once a week, for two consecutive weeks, in a newspaper of general circulation in the area where the water is to be stored, diverted and used. Notice of this application was published in the Deer Park Tribune on August 24 and 31, 2011. No protests were received.

State Environmental Policy Act (SEPA)

A water right application is subject to a SEPA threshold determination (i.e., an evaluation whether there are likely to be significant adverse environmental impacts) if any one of the following conditions are met.

- (a) It is a surface water right application for more than 1 cubic foot per second, unless that project is for agricultural irrigation, in which case the threshold is increased to 50 cubic feet per second, so long as that irrigation project will not receive public subsidies;
- (b) It is a groundwater right application for more than 2,250 gallons per minute;
- (c) It is an application that, in combination with other water right applications for the same project, collectively exceed the amounts above;
- (d) It is a part of a larger proposal that is subject to SEPA for other reasons (e.g., the need to obtain other permits that are not exempt from SEPA);
- (e) It is part of a series of exempt actions that, together, trigger the need to do a threshold determination, as defined under WAC 197-11-305.

Because this application does not meet any of these conditions, it is categorically exempt from SEPA and a threshold determination is not required.

INVESTIGATION

In considering the proposed application, the investigation included, but was not limited to, research and review of (1) appropriate rules and statutes; (2) Ground Water Certificate No. G3-24001C and other rights/claims/applications in the vicinity; (3) water well reports for the applicant's well; (4) USGS topographic maps; (5) Meeting with PUD officials; and (6) discussions with Department of Ecology regional program staff; including review by Ecology hydrogeologists.

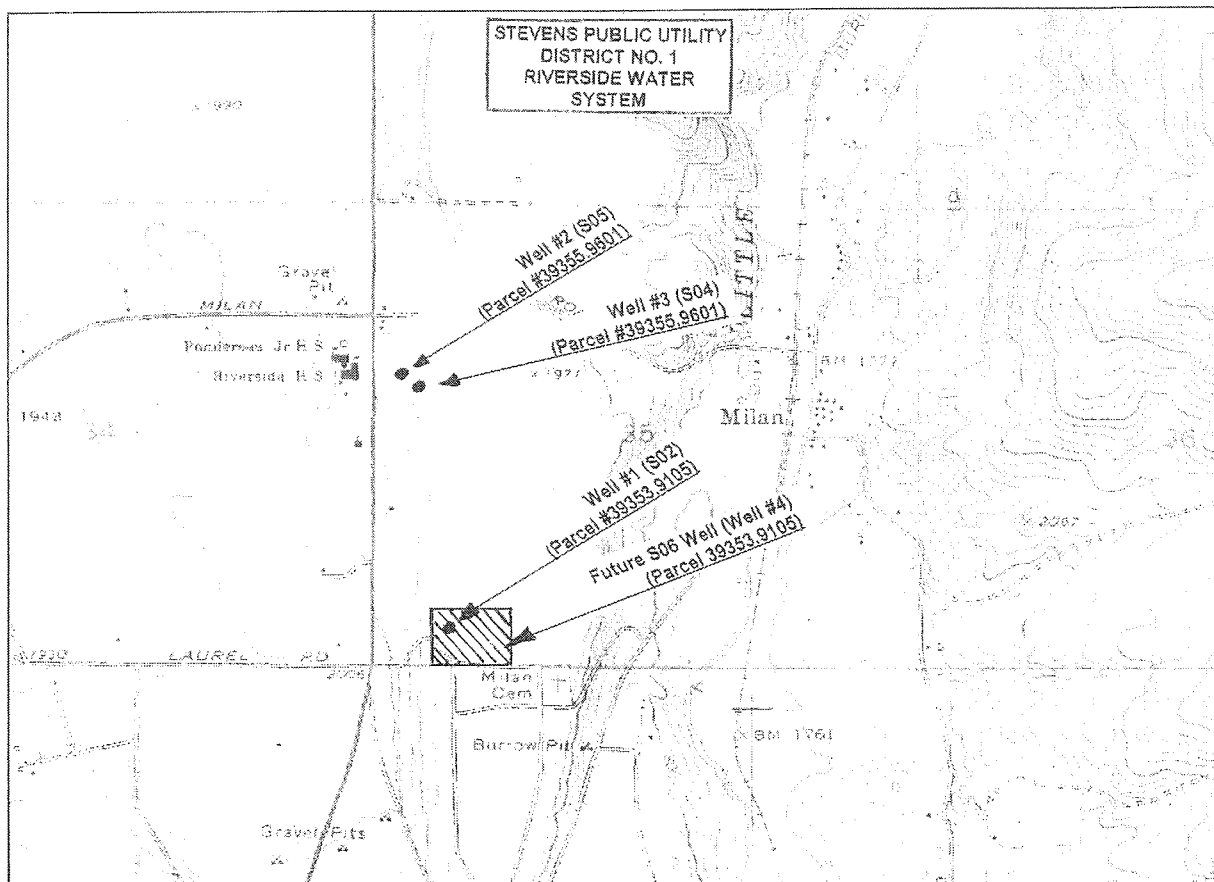
A field investigation was conducted by Gene Drury on July 24, 2013 and included discussions with Dick Price, Manager of the PUD. It was noted that the project has started as the PUD has pumped water from its existing wells and water is being used for municipal supply purposes for the Riverside Water System.

Certificate No. G3-24001C was originally applied for on October 3, 1974 by Herbert C. and Randean A. Kummer. The request was for one well to be constructed and it would provide water to six homes. The permit was approved for this project in August of 1980. A 6 inch by 135 foot well was constructed and yielded around 60 gallons per minute. The well was located within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 2, T. 28 N., R. 43 E.W.M. The six homes which were served water were located within portions of Secs. 2, 3, 10 and 11 of T. 28 N., R. 43 E.W.M. The 6 acre-feet per year was perfected and used under this certificate.

Water was served from the original well continuously up until around 1992 when production dropped off. The PUD took over serving the homes from its existing Riverside Water System wells. The six homes have been continuously served by the PUD Riverside System since this time. The PUD has continued to use this right for domestic supply in the amount of 60 gallons per minute and 6 acre-feet per year and therefore, a change may be made from group domestic supply to "municipal supply". The PUD is a municipal water supplier as defined under RCW 90.03.015.

The PUD has requested to add a future point of withdrawal (Well S06) near the same site as existing Well S02. The PUD would then have a total of four wells for the Riverside Water System providing water for municipal supply purposes. The place of use under G3-24001C would also be changed to "Area served by the PUD".

"Riverside Water System" Well Locations (Map provided by PUD)



**Section 35, Township 29 North, Range 43 E.W.M.
USGS 7.5 Minute (Topographic Map) - "Chattaroy"**

PUD Riverside System Well Information

Well #	ID	Size	Static Water Level (ft)	Pump Hp.	Well Capacity
Well S02	ABR225	6" x 145'	78'	10	97 gpm
Well S04	AHC143	8" x 125'	76'	2	26 gpm
Well S05	ACA933	8" x 114'	80'	25	228 gpm
Well S06	---	--	future well	--	--

The Riverside Water System currently serves 65 connections but is approved for a total of 130 connections. The PUD's water system plan was approved by the Department of Health on March 19, 2013.

PUD Riverside System - Water Use

2009 = 15,200,000 gallons (47 acre-feet)

2010 = 16,100,000 gallons (49 acre-feet)

2011 = 21,000,000 gallons (64 acre-feet)

2012 = 21,800,000 gallons (67 acre-feet)

Hydrologic/Hydrogeologic Evaluation

Applications for change of water right permits and certificates are governed by RCW 90.44.100, which states in part: the holder of a valid right to withdraw public ground waters may, without losing his priority of right, construct wells at a new location in substitution for, or in addition to, those at the original location, or he may change the manner or the place of use of the water. Such amendment shall be issued by the Department only on the conditions that: (1) the additional or substitute well or wells shall tap the same body of public ground water as the original well or wells, (2) use of the original well or wells shall be discontinued upon construction of the substitute well or wells, (3) the construction of an additional well or wells shall not enlarge the right conveyed by the original permit or certificate, and (4) other existing rights shall not be impaired. The Department may specify an approved manner of construction and shall require a showing of compliance with the terms of the amendment.

The hydrogeologic analysis for the PUD's application was provided by John Covert, senior hydrogeologist for Ecology's Water Resources Program.

The authorized point of withdrawal for G3-24001C is a well in the SW¼SW¼SW¼ of Sec. 2, T. 28 N., R. 43 E.W.M. This six inch well was constructed to a depth of 135' in 1974. It was completed in unconsolidated sands and clay. It had a static water level of 51' and was capable of producing 60 gpm. The applicant is proposing to change one point of withdrawal and add three points of withdrawal. The four new points of withdrawal are as follows:

Well S02 (well tag ABR225) is a well in the SW¼SW¼ of Sec. 35, T. 29 N., R. 43 E.W.M. This six inch well was constructed to a depth of 145' in 1988. It was completed in unconsolidated coarse sands and clay. It had a static water level of 77'.

Well S04 (well tag AHC143) is a well in the SW¼NW¼ of Sec. 35, T. 29 N., R. 43 E.W.M. This eight inch well was constructed to a depth of 125' in 1984. It was completed in unconsolidated sand and gravel. It had a static water level of 60'.

Well S05 (well tag ACA933) is a well in the SW¼NW¼ of Sec. 35, T. 29 N., R. 43 E.W.M. This eight inch well was constructed to a depth of 114' in 1998. It was completed in unconsolidated sand and gravel. It had a static water level of 71'.

A future well, S06, will be constructed in the SW¼SW¼ of Sec. 35, T. 29 N., R. 43 E.W.M.

The original well and the three existing wells are all completed within the unconsolidated sediments of the Little Spokane River valley and are all producing water from the same body of public groundwater. For the future well S06, it too must be completed within the unconsolidated sediments to be considered part of the same body of public groundwater and be eligible to be added to this change application.

Other Water Rights Appurtenant to the Place of Use

The PUD holds a total of four water rights for the Riverside Water System. They are recorded under Ground Water Certificate Nos. G3-21375C, G3-24001C, G3-26151C and Permit No. G3-28260P. The PUD has recently requested changes through the Spokane County Water Conservancy Board to G3-21375C, G3-26151C and G3-28260P consistent with the change request under this application (G3-24001C). The four water rights add up to a total of 440 gallons per minute and 210.4 acre-feet per year.

Impairment Considerations

A review of Ecology records was conducted for existing water rights in the vicinity of the proposed new PUD point of withdrawal in Sec. 35, T. 29 N., 43 E.W.M. No other rights were found that would be impaired by this change.

No Enhancement of Original Right

No withdrawal of water over and above what has been historically put to beneficial use and/or originally authorized under existing rights will be allowed through approval of this change.

Public Interest Considerations

There has been no public expression of protest or concern regarding the subject proposal, and no findings through this investigation indicate that there would be any detrimental impact to the public welfare through issuance of the proposed change.

Consideration of Protests and Comments

No protests were filed.

Conclusions

It is the conclusion of this examiner that, in accordance with Chapters 90.03 and 90.44 RCW, this application to change under Ground Water Certificate No. G3-24001C will not enlarge the quantity of water historically authorized, nor will it impair existing rights provided the terms and conditions below are followed.

RECOMMENDATIONS

Based on the above investigation and conclusions, I recommend that the request for change to Ground Water Certificate No. G3-24001C is approved in the amounts and within the limitations listed below and subject to the provisions beginning on Page 2, and following.

Purpose of Use and Authorized Quantities

The amount of water recommended is a maximum limit and the water user may only use that amount of water within the specified limit that is reasonable and beneficial:

Qi: 60 gallons per minute

Qa: 6 acre-feet per year

Purpose: Municipal Supply

Points of Withdrawal: Four Wells

Place of Use: As described on Page 1 of this Report of Examination.

Gene Drury, Report Writer

Date

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